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6 IN THE UNITED STATES DISTRICT COURT  
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8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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10 YUGUI CAI,

11 Plaintiff,

No. 05-03175 EDL

12 v.

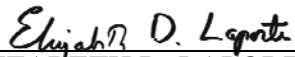
**ORDER RE: DEFENDANTS' PROPOSED  
JUDGMENT**

13 FISHI CAFÉ, INC, ET AL.,

14 Defendants.  
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16 On September 27, 2007, Defendant Great China Investment Realty Corporation submitted a  
17 proposed judgment reflecting the Court's grant of summary judgment in its favor on September 20,  
18 2007. Because this case involves multiple claims against multiple parties, a judgment in favor of  
19 Great China would come within Federal Rule of Civil Procedure 54(b). Defendants made no  
20 showing to justify entry of judgment under that Rule, nor is it clear whether they could make such a  
21 showing. See Curtis-Wright Corp. v. General Elec. Co., 446 U.S. 1, 8 (1980) ("It is left to the sound  
22 judicial discretion of the district court to determine the "appropriate time" when each final decision  
23 in a multiple claims action is ready for appeal. . . . Thus, in deciding whether there are no just  
24 reasons to delay the appeal of individual final judgments in setting such as this, a district court must  
25 take into account judicial administrative interests as well as the equities involved."). Accordingly,  
26 the Court declines to enter judgment in favor of Great China at this time.

27 Dated: October 3, 2007

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ELIZABETH D. LAPORTE  
United States Magistrate Judge